



State of Tennessee
Department of Environment and Conservation
Division of Water Pollution Control
Mining Section
3711 Middlebrook Pike
Knoxville, Tennessee 37921-6538
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Notice of NPDES Public Hearing

Public Notice M2008-03

February 21, 2008

Last Day to Submit Written Comments for Hearing: April 14, 2008

NOTICE IS HEREBY GIVEN, that the Division of Water Pollution Control, Mining Section, will hold the following public hearing pursuant to *Rule 1200-4-5-.06* of the Tennessee Department of Environment and Conservation. The date, time and location of the hearing follow:

Tuesday, April 1, 2008
7:00 p.m. EDT
Indoor Pavilion
Cove Lake State Park
110 Cove Lake Lane
Caryville, Tennessee

At the hearing, the Department will receive public comments concerning the reissuance and modification of a National Pollutant Discharge Elimination System (NPDES) permit. The permit modification is for an additional outfall. The permit applicant is as follows:

Company Information

Kopper-Glo Fuel, Inc.
Mr. Keith D. Dyke
P. O. Box 203
Clairfield, TN 37715

Site Information

Marion Tipple
NPDES Permit TN0053759
1197 Rock Creek Road
Claiborne County
Clairfield, TN 37715

The draft NPDES permit covers discharges of treated wastewater and storm water from an existing coal preparation plant and tipple. Discharges are to Rock Creek and an unnamed tributary of Rock Creek. These streams are neither designated as Exceptional Tennessee Waters nor included on the State's 303(d) list of impaired streams. The tentative decision

to reissue this permit with its modification is based on the Division's determination that the discharges will not result in degradation of these waters.

The hearing officer may limit oral presentations to five minutes and require that all testimony be relevant to water quality-related issues for this facility. Undue repetition in oral presentations should be avoided so that all interested parties will have an opportunity to present their concerns relative to water quality issues. Written testimony will be accepted at the hearing and for at least ten days following the hearing.

Comments not related to water quality or to the information contained in the permit application will not be accepted nor considered part of the hearing record. Issues not directly related to water quality or to the draft permit, such as health, safety, blasting, traffic or related issues will not be considered. We do not control these matters and consideration would not contribute relevant information to the decision making process for the NPDES permit application.

Interested persons may obtain additional information and copy the application, draft permit, and supporting documentation from the permit files maintained at the Mining Section's office at the letterhead address. There is a nominal fee for copying. These files are available for public inspection during normal visiting hours by contacting Kimberley Reardon by email at Kimberley.Reardon@state.tn.us or by phone at (865) 594-5619 to schedule an appointment for the review. A copy of the permit application and draft permit will be available for review at the hearing.

Individuals with disabilities who wish to participate in these proceedings should contact the Department's ADA Coordinator, Human Resources Division, 401 Church Street, 12th Floor, L & C Tower, Nashville, TN 37243, **1-866-253-5827**. Such contact may be in person, by writing, telephone, or other means and should be made no later than **March 17, 2008**, to allow time to provide such aid or services. Hearing impaired callers may use the Tennessee Relay Service (**1-800-848-0298**).